APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,526	02/18/2000	Stephane H. Maes	Y0999-178 (8728-306)	7963

7590   08/07/2003

Frank Chau, Esq.
F. Chau & Associates LLP
1900 Hempstead Turnpike
Suite 501
East Meadow, NY   11554

EXAMINER
HO, THE T

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 08/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the c ver sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 February 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-37_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-37_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _18 February 2000_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

1. This action is in response to the application filed 2/18/2000.

2. Claims 1-37 have been examined and are pending in the application.

Drawings

3. The drawings are objected to because: they contain hand-written lines,

numbers and letters. A proposed drawing correction or corrected drawings are required

in reply to the Office action to avoid abandonment of the application. The objection to

the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-9 and 11-37 are rejected under 35 U.S.C. 102(e) as being

anticipated by Toomey U.S Patent No. 6,119,147.

As to claim 1, Toomey discloses a multi-modal application with a first and a

second mode processes (multiple 120s, Fig. 2); a multi-modal shell (230, Fig. 2) for

managing and synchronizing information exchanges between the processes (meet and

interact, line 50 column 1); an API (210, Fig. 2) that allows the processes to register

their commands and actions.

As to claim 2, Toomey further discloses a registry with a registration table (220,

Fig. 2) comprises a list of each of the registered commands and corresponding actions

(lines 38-48 column 6).

As to claim 3, Toomey further discloses a first and a second mono-mode

applications (a set of participants, line 48 column 1); the shell manages and

synchronizes information exchanges between these applications (meet and interact, line

50 column 1).

As to claim 4, note the discussion of claim 3 above. Toomey further discloses a

first (first 120, Fig. 2) and a second user interface modality (second 120, Fig. 2).

As to claim 5, Toomey further discloses a network (130, Fig. 2), and the API is

implemented using distributed APIs or protocols (lines 3-11 column 2).

As to claim 6, Toomey further discloses a mechanism (Fig. 1) for converting a

mono-mode application (120, Fig. 1) to a multi-modal application (105, Fig. 1).

As to claim 7, Toomey further discloses the mono-mode application is a GUI

application (user's interface, lines 56-57 column 2); the mechanism provides speech

enablement of the GUI application by registering the active commands (commands that

update each user's interface, lines 56-57 column 2) and building a grammar for the

commands (lines 53-60 column 2).

As to claim 8, note the discussion of claim 6 above.

As to claim 9, note the discussions of claims 1 and 7 above.

As to claim 11, note the discussion of claim 5 above.

As to claim 12, Toomey further discloses a multi-modal browser (browser, line 12 column 8), the first mode process renders a first modality and the second mode process renders a second modality (lines 12-20 column 8).

As to claim 13, Toomey further discloses the first modality is GUI (text discussion, line 60 column 1) and the second modality is speech (audio commands, lines 60-61 column 1).

As to claim 14, Toomey further discloses the shell processes a CML file to send information in the CML file to the browsers (line 55 column 1 to line 2 column 2).

As to claim 15, Toomey further discloses the CML file encapsulates the information in a single modality-independent representation (captured for future replay and augmentation in a multi-modal document, lines 58-59 column 1).

As to claim 16, Toomey further discloses a combination of declarative markup languages (text discussion, audio commands, graphics, and documents, lines 60-61 column 1).

As to claim 17, Toomey further discloses a single file combining the declarative markup languages and synchronization elements to provide tight synchronization between the declarative markup languages (interactions are inserted into the multi-modal document at a point that is chronological in the meeting to create a synchronous meeting, lines 11-13 column 15).

As to claim 18, note the discussion of claim 17 above. Toomey further discloses a separate file for each of the declarative markup languages (multiple tracks in the multi-modal document, lines 59-60 column 1).

As to claim 19, note the discussions of claims 1-2 above. Toomey further discloses updating application states or device states (update user's interface, lines 56-57 column 2; update the state, line 55 column 9).

As to claim 20, note the discussions of claims 2 and 6-7 above.

As to claim 21, note the discussion of claim 2 above.

As to claim 22, note the discussion of claim 1-2 above.

As to claim 23, Toomey further discloses looking up the command in the table and executing the actions on the first and second modalities (lines 18-45 column 7).

As to claims 24-25, Toomey further discloses registering and executing a callback handle for the registered commands (lines 19-44 column 10).

As to claim 26, Toomey further discloses executing first thread associated with the command and triggering second thread to initiate the action (line45 column 11 to line 4 column 12).

As to claim 27, Toomey further discloses the threads are applets (graphics, line 61 column 1).

As to claim 28, Toomey further discloses the threads communicate via socket connections (Fig. 2).

As to claims 29-31, note the discussions of claims 19-21 above, respectively.

As to claims 32-37, note the discussions of claims 23-28 above, respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Toomey.

As to claim 10, Toomey teaches that his system is implemented on a general

purpose computer (line 33 column 5). Toomey does not explicitly disclose an operating

system. "Official Notice" is taken that both the concept and advantage of providing for

an operating system is well known and expected in the art. It would have been obvious

to include an operating system into the system of Toomey because it would provide the

interface for meeting sessions between the participants.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to The Thanh Ho whose telephone number is 703-306-

5540. A voice mail service is also available for this number. The examiner can

normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238

- OFFICAL faxes must be signed and sent to (703) 746 – 7239

- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

TTH
July 28, 2003

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100